GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired - Allegations of irregularities committed in construction of Electrical Sub Station in the land in Sy.No.14/7 of Pappireddipalle Village of Madanapalle Mandal by manipulating the Government records.- Disciplinary proceedings under rule - 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Articles of charge - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.791 **Dated: 28.08.2023**

Read:

G.O.MS.No.409, Revenue(Vig.I) Dept., dt:28- 08-2023

ORDER:

In pursuance to the G.O read above, it is proposed to hold an enquiry against Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules,1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry are proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure - I). A list of documents by which, and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired is directed to submit a written statement of his defense within 10 days of receipt of this order,.

4. Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired is further informed that if they do not submit his written statement of defense on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

7. The receipt of the Memorandum may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired (Through the Chief Commissioner of Land Administration, A.P., Mangalagiri for service and to return the served copy with dated acknowledgement immediately (By RPAD))

The Chief Commissioner of Land Administration, A.P., Mangalagiri.

Copy to:

The District Collector, Chittoor District

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI M.SURENDRA, SPL.DY.COLLECTOR, O/o REGIONAL JOINT COMMISSIONER, ENDOWMENTS, TITUPATI NOW RETIRED

Article of charge:

That Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired being a responsible Government officer, while working as Tahsildar, Madanapalle, in the counter affidavit filed for W.P. No.239OZl2Ol2 on 16.04.2013 before the Hon'ble High Court of A.P., has stated the same matter which was mentioned by his predecessor (Sri R.Amarendra Babu) by following the bogus alienation file and not disclosed the facts and intentionally did not commit that the file was bogus. Thus he has shown laxity in attending official duty. Thus he has violated Rule 3 (l) (2) (3) of A.P.C.S. Conduct Rules, 1964.

Thus Sri M.Surendra, Spl.Dy.Collector, O/o Regional Joint Commissioner, Endowments, Titupati now retired by his above mentioned acts, has failed to discharge his legitimate duties, showed negligent attitude in protecting the interests of the Government and carelessness in official duties, which is unbecoming of a Government Servant. Thus the individual has violated Rule 3-B of A.P. Civil Services (Conduct) Rules, 1964.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.SURENDRA, SPL.DY.COLLECTOR, O/o REGIONAL JOINT COMMISSIONER, ENDOWMENTS, TITUPATI NOW RETIRED.

Smt J.Sivakumari has represented the Tahsildar, Madanapalle that she was a land less poor and was granted DKT Patta in Sy.No.14/7A Ext Ac.0.38 cents during JB/4/1413 d1.31.07.2003 and by virtue of the above patta, she used the land for raising grass for feeding cattle While so, on 27.06.2012 the APSPDCL officials dumped the construction material all of sudden in her land as the Ex-MLA Shajahan Basha is going to lay foundation stone for construction of 33/11 KV Sub Station, that she has protested by showing her D-Form Patta, but the Revenue and APSPDCL officials ignored her request and accordingly she filed a WPNo.23902/2012 before the Hon'ble High Court of A.P., and the same was allowed.

The Revenue Divisional Officer, Madanapalle has reported the following facts as per report of the Tahsildar, Madanapalle

1. As per Adangal / Pahani of Pappireddipalle Village, regarding the 1419 & 1420 Faslis, under column no.21, it was stated that "Jersy Grass" was grown in an extent of Ac 0.38 cents (as per col.22) and Maize was grown in an extent of Ac.0.19 cents (as per Col 22) and also as per Col.No.20, the same was grown during the month of August. Despite this, under column no.6 it was noted as "AWD" by erasing the entries by applying white fluid without any authentication, which is highly irregular which discloses that the Adangal/Phani was manipulated and the same was observed by the Hon'ble High court. The Xerox copy of adangal contains a signature of the former VRO with date 10.09.2011 which was submitted to the Hon'ble High Court. These points have been clearly mentioned in the judgement and directed to take action against the Revenue officials and other officials involved in this case.

2. As per Survey and Sub division records prepared on 12.10.2011, an extent of Ac 0.57 cents of land in Sy.No. 14/7 of Pappireddipalle Village was classifed as AWD and it was sub divided as Sy.No. 14/7 with an extent of Ac.0.38 cents and Sy.No.14/8 with an extent of 0.19 cents and the records were also scrunitized by the Dy.Inspector of Survey. Sub Collector's Office, Madanapalle.

3. The Mandal Surveyor mentioned that the total extent of land of Ac.0.57 cents in Sy No 14/7 classified as "AWD". On verification of the Adangal of Pappireddipalle Village that the land was sub divided as in Sy.No.14/7A for an extent of Ac.0.38 cents and Sy.No.14/7B with an extent of Ac.0.19 cents. The land in Sy.No.14/7A was manipulated and the land in Sy.No.14/7B was recorded in the name of Sri Jangala Ramakrishna and mentioned as DKT and noted AM No.26/4/2001.

4. The content of the alienation file reveals that it was prepared hurriedly within a day or two and with number of blanks. The alienation file has been prepared purposefully after the writ petitioner has fled WP in High court in order to make it everything as per law.

5. The Revenue officials have handed over the said land to the APSPDCL officials without any information to the land owner and the Possession Certificate is not traced out in the office. Hence, the APSPDCL officials have no right to construct the KV Sub Station in the disputed land without prior permission of the District Collector, Chittoor. Hence, the construction of 33/11 KV Sub-station, Nakkaladinne is irregular

6. An extent of Ac.0.57 cents of the land in Sy.No.14/7 of Pappireddipalle H/o/ Ankisettipalle Village of Madanapalle Mandal was originally assigned to Sri J.Kesavulu S/o Venkataramana of Pappireddipalle vide Taluk A.M.No.55/4/87. The said assignment was cancelled and changed as AWD vide Sub Collector, Madanapalle proceedings D.Dis 19527/78 dt.22.05.1979 and Tahsildar, Madanapalle Proceedings B3/3461/1979 dt.28.06.1979 and the land stands as AWD as per Village accounts. Further, a DKT Patta was granted for an extent of Ac.0.19 cents in Sy.No.14/7B of Pappireddipalle Village in favour of Sri J.Ramakrishna S/o Venkataramana vide A.M.No.26/4/1411 dt. 15.10.2001 which is under his occupation, who is one of the family members of the joint family of Sri J.Kesavulu his own brother. Further, aggrieved by the orders of the Tahsildar, Madanapalle Sri J.Kesavulu filed an appeal before Sub Collector, Madanapalle which was dismissed vide proceedings D.dis B1/1288/2002 dt.06.03.2003.

7. Although Smt J.Sivakumari produced the original DKT Patta vide A.M.No. 12/19th JB/4/1413 dt.31.07.2003, the Revenue Authorities instead of recognizing her original patta, tampered, manipulated and created fake records and finally informed her that she had no right on the said land. They intentionally suppressed the growth of Jersy Grass with the help of bore water. There are entries about the growth of "Jersy Grass" in adangal, but the name of the cultivator etc., were erased. The VRO concerned used to maintain latest adangals basing on the previous adangals without verifying the fields properly and the village accounts are not updated properly.

8. Further, it was reported that an extent of Ac.0.38 cents in Sy.No.14/7A of Pappipreddipalle Village has been under her possession and enjoyment since some decades. There is no dispute about her possession and enjoyment. Hence, she has total rights on the said land. Thus she is entitled for the exgratia of the area of existing electrical sub-station and regularization of the remaining land in her favour as per existing rules.

Hence, the charge

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.SURENDRA, SPL.DY.COLLECTOR, O/o REGIONAL JOINT COMMISSIONER, ENDOWMENTS, TITUPATI NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

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1) Lokayukta Complaints No.93, 94,100,101,102 of 2022, dt.01.02.2022 filed before Hon'ble Lokayukta, Hyderabad.
2) Report of the Enquiry Officer & Erstwhile JointCollector -RB&R, East Godavari District, Kakinada vide Ref.A5/52/2022, dt.26.03.2022.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.SURENDRA, SPL.DY.COLLECTOR, O/o REGIONAL JOINT COMMISSIONER, ENDOWMENTS, TITUPATI NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

-NIL-

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER